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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/188,492	11/09/1998	SEONGHO BAE	33012-250-10	4421

7590 02/04/2003

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EXAMINER

WASSUM, LUKE S

ART UNIT

PAPER NUMBER

2177

DATE MAILED: 02/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

8

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/188,492	BAE, SEONGHO	
	Examiner	Art Unit	
	Luke S. Wassum	2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 30 December 2002.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 30 December 2002 has been entered.

### *Response to Preliminary Amendment*

2. A preliminary amendment, filed 30 December 2002, has been received, entered into the record, and considered. As a result of the amendment, claims 1, 2, 4, 6, 8, 11 and 16 have been amended. Claims 1-20 are now presented for examination.

### *Embodiment of the Invention*

3. The claimed invention is a data processing environment that supports the generation of reports on a periodic basis, and the delivery of said reports electronically to a user over the Internet.

### *Specification*

4. The disclosure is objected to because of the following informalities:

There is a typographical error on page 34, line 12 "...output to repository 330ia path 316...".

Also, there are numerous references in the specification to "the above-referenced, commonly-assigned, co-pending U.S. Patent Application", e.g., page 20, line 3, and page 25, line 14.

Given the large number of commonly-assigned, co-pending U.S. Patent Applications cited in the front of the specification, the Applicant is required to cite specific application numbers, or remove the references from the specification.

Appropriate correction is required.

*Claim Rejections - 35 USC § 112*

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 6-20 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

7. Independent claims 6, 11 and 16 contain the limitation that the report is delivered at a predetermined time. The examiner has searched the specification for a disclosure that supports this claimed limitation, but has not found one. Specifically, the specification discloses on the last paragraph of page 10 that the report is transferred to the user terminal when the user logs onto the system, which does not qualify as the claimed predetermined time. In addition, on page 34, it is disclosed that the report is spooled for future electronic delivery.

In claim 6, it is disclosed that the report is generated in response to a predetermined signal, and in claims 11 and 16, the report is generated at a first predetermined time. These claim

limitations are supported in the specification. However, nowhere can the examiner find support for the report being *delivered* at a predetermined time.

8. Accordingly, independent claims 6, 11 and 16 are rejected. Dependent claims 7-10, 12-15 and 17-20, incorporating the cited claim limitation, are also rejected.

***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-4, 6-14 and 16-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Saliba et al. (U.S. Patent Application Publication 2002/0065772).

11. Regarding claim 1, Saliba et al. teaches a data processing environment and apparatus as claimed, the improvement comprising:

a) a software controlled server (see service center system 24 in Figure 1) responsively coupled to said user terminal (see customers 28(1) and 28(2) in Figure 1) via a publicly accessible digital communications network (see network 32 in Figure 1) and responsively coupled to said database management system which receives said service

request and forwards it to said database management system for honoring (see discussion of the activation of the "Billing Statements" option, paragraphs 39 and 40);

b) an administration module which automatically determines a time to generate said report (see discussion of billing systems, paragraph 26);

c) a software object responsively coupled to said database management system and said administration module which executes a plurality of command script statements to generate said report in response to a signal from said administration module (see discussion of customized billing statements, paragraph 31); and

d) a storage facility wherein said server spools said report in HTML format for future delivery to said user terminal (see discussion of customized billing statements, paragraph 31; see also bills database 40 on Figure 1).

12. Regarding claim 6, **Saliba et al.** teaches an apparatus as claimed, comprising:

a) a user terminal which displays a report (see customers 28(1) and 28(2) in Figure 1);

b) a publicly accessible digital communications network coupled to said user terminal (see network 32 in Figure 1);

c) a software controlled server responsively coupled to said user terminal via said publicly accessible digital communications network (see service center system 24 in Figure 1);

d) a database management system which automatically generates said report by executing a sequence of command script statements in response to a predetermined signal not initiated by said user terminal responsively coupled to said server (see discussion of customized billing statements, paragraph 31);

e) an administration module within said server which spools said report for later electronic delivery to said user terminal at a predetermined time (see discussion of customized billing statements, paragraph 31; see also bills database 40 on Figure 1).

13. Regarding claim 11, Saliba et al. teaches a method of communicating between a user terminal and a database management system as claimed, comprising:

- a) automatically generating a report by said database management system through execution of a series of command script statements in response to a sensed signal at a first predetermined time determined by an administration module (see discussion of billing systems, paragraph 26; see also discussion of customized billing statements, paragraph 31);
- b) converting said report into an HTML display page (see discussion of customized billing statements, paragraphs 28, 29 and 31; see also the explicit disclosure that the billing statement is written in HTML, paragraph 42);
- c) spooling said HTML display page within a repository (see discussion of customized billing statements, paragraph 31; see also bills database 40 on Figure 1);
- d) making a service request from said user terminal to said database management system (see discussion of the activation of the "Billing Statements" option, paragraphs 39 and 40); and
- e) transmitting said HTML display page from said database management system to said user terminal at a second predetermined time (see discussion of the activation of the "Billing Statements" option, paragraphs 39 and 40).

14. Regarding claim 16, **Saliba et al.** teaches an apparatus as claimed, comprising:

- a) means for permitting a user to interact with a digital database by making a service request and for displaying a report (see customers 28(1) and 28(2) in Figure 1; see also network 32 in Figure 1);
- b) means responsively coupled to said permitting means for providing said user with access to a publicly accessible digital communications network (see service center system 24 in Figure 1; see also network 32 in Figure 1);
- c) means responsively coupled to said permitting means for generating a report at a first predetermined time by executing a sequence of command script statements (see discussion of billing systems, paragraph 26; see also discussion of customized billing statements, paragraph 31); and
- d) means responsively coupled to said generating means and said permitting means for spooling said report for future delivery at a second predetermined time to said permitting means (see discussion of customized billing statements, paragraph 31; see also bills database 40 on Figure 1).

15. Regarding claims 2, 7 and 13, **Saliba et al.** additionally teaches a data processing environment, method and apparatus wherein said server electronically delivers said report to a plurality of user terminals (see customers 28(1) and 28(2) in Figure 1).

16. Regarding claim 4, 8 and 18, **Saliba et al.** additionally teaches a data processing environment and apparatus further comprising a repository for storing said report in final form for later electronic delivery to said plurality of user terminals (see discussion of customized billing statements,

paragraphs 28, 29 and 31; see also the explicit disclosure that the billing statement is written in HTML, paragraph 42).

17. Regarding claims 3, 9, 14 and 17, **Saliba et al.** additionally teaches a data processing environment, method and apparatus wherein said publicly accessible digital communications network is the World Wide Web (see disclosure that bills are electronically distributed to customers over the Internet, paragraph 31).
18. Regarding claims 10 and 12, **Saliba et al.** additionally teaches a method and apparatus wherein said user terminal is an industry compatible personal computer having a web browser (see paragraph 37).

*Claim Rejections - 35 USC § 103*

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20. Claims 5, 15, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Saliba et al.** (U.S. Patent Application Publication 2002/0065772) as applied to claims 1-4, 6-14 and 16-18 above, and further in view of **Admission (Admitted Prior Art)**.

21. Regarding claims 5, 15 and 19, **Saliba et al.** teaches a data processing environment, method and apparatus substantially as claimed.

**Saliba et al.** does not teach teaches a data processing environment, method and apparatus wherein said database management system is CLASSIC MAPPER.

**Admission**, however, teaches the CLASSIC MAPPER database management system (see applicant's specification [as amended], page 4, lines 7-13).

It would have been obvious to one of ordinary skill at the time of the invention to incorporate the CLASSIC MAPPER database management system, since it is admitted as prior art that CLASSIC MAPPER is one of the most successful database management systems (see page 4, lines 9-12).

Furthermore, demonstrated commercial success implies that the product has features that are advantageous over competing products. (else why would people buy it?) Additionally, the desire to make one's system compatible with others would additionally provide motivation for one to choose a database management product that has a wide commercial success, since this necessarily means that many other systems also employ the same database management product, and thus compatibility with other systems is enhanced

22. Regarding claim 20, **Saliba et al.** additionally teaches an apparatus wherein said permitting means is an industry compatible personal computer (see paragraph 37).

*Response to Arguments*

23. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

24. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Hilt et al.** (U.S. Patent 5,465,206) teaches a bill pay system wherein participating consumers pay bills to participating billers through a payment network.

**Teper et al.** (U.S. Patent 5,815,665) teaches an Online Brokering Service which provides user authentication and billing services to allow users to anonymously and securely purchase online services from Service Provider sites.

**Reeder** (U.S. Patent 5,852,812) teaches a billing system for on-line computer networks.

**Remington et al.** (U.S. Patent 6,070,150) teaches a bill presentment and payment remittance system.

**Rosenzweig et al.** (U.S. Patent 6,081,810) teaches a method for storing and retrieving reports from a computer database.

**Dent et al.** (U.S. Patent 6,128,603) teaches a consumer-based bill management and payment system configured to receive, analyze, manage and pay electronic billing statements received from the biller over the Internet.

**Kitchen et al.** (U.S. Patent 6,289,322) teaches a method of electronically present billing information.

**Diamond et al.** (U.S. Patent 6,370,515) teaches a bulk terminal automation system, wherein inventory and load shipment reconciliation reports are compiled at the central office, and wherein customer-requested reports are transmitted electronically from the central office to the customer across the global computer network.

**Ensal et al.** (U.S. Patent 6,493,685) teaches an Information Interface Provider (IIP) acting as an interface between a biller and its customers for both the presentation of electronic bills to the customer and for the processing of payments from the biller's customers.

**Gifford et al.** (U.S. Patent Application Publication 2002/0131561) teaches a method and system for providing unified message services to a subscriber.

**Unisys** ("Why Do I Need Cool ICE?") teaches that the CLASSIC MAPPER system has been tuned for reliability, scalability, and high performance, and the technology has been used for years by thousands of users for many different kinds of applications, and has gained a reputation for performing well for everything from small data analysis applications to huge transaction systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke S. Wassum whose telephone number is 703-305-5706. The examiner can normally be reached on Monday-Friday 8:30-5:30, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 703-305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

In addition, INFORMAL or DRAFT communications may be faxed directly to the examiner at 703-746-5658.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.



Luke S. Wassum  
Art Unit 2177

lsw  
January 30, 2003



JEANNE HOMERE  
PRIMARY EXAMINER